IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

Civil Writ Petition No.19356 of 2007
Date of Decision: 21.12.2007

Joginder Singh

Petitioner

Versus

State of Haryana and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**
HON'BLE MR. JUSTICE JASWANT SINGH

Present: Shri Jagbir Malik, Advocate for the petitioner

Jasbir Singh, J. (Oral)

By filing this writ petition, the petitioner has prayed that a writ of certiorari be issued to quash order dated 29.7.2004 (Annexure P/14), vide which claim of his mother, to get financial assistance, was rejected.

Father of the petitioner was working as a conductor with respondent No.3. He died in harness on 6.5.1998 It is case of the petitioner that he is adopted son of the deceased Shri Krishan Lal. After death of his father, his mother moved an application with a prayer to appoint the petitioner in service, on compassionate grounds, in view of the then prevailing Policy. It is further case of the petitioner that on getting copy of the adoption deed, his case was recommended for appointment against a suitable post. In the meantime, the State of Haryana framed rules known as the Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules 2003. Mother of the petitioner, vide application (Annexure P/11), prayed that she be granted financial assistance as per the rules stated above. Request was declined vide order dated

29.7.2004 (Annexure P/14). In the meantime, mother of the petitioner also died on 7.2.2004. The petitioner did not take any action, remained silent and has filed this writ petition after a period of more than 3 years from the date of death of his mother, claiming benefit of financial assistance.

Counsel for the petitioner heard.

We feel that the claim raised by the petitioner is not justified. Intention of the State government to give appointment on compassionate basis and to provide financial assistance, is to bring family of the deceased government employee out of immediate financial crises, after death of the only bread winner. Father of the petitioner died in the year 1998. 9 years have elapsed, which clearly shows that as on today, there is no financial constraint with the petitioner. We do not find any ground to interfere.

Dismissed.

(Jasbir Singh)
Judge

December 21, 2007 **(Jaswant Singh)**
gk **Judge**